TMH:tmh

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA

vs. Case No. 16-MJ-500 HB

DANIEL PAUL CLEVENGER

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about July 26, 2016, in Hennepin, County, Minnesota, in the State and District of Minnesota, the defendant:

> knowingly and intentionally possessed with the intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a controlled substance,

in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

I further state that I am a Task Force Officer of the DEA and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒Yes ☐ No

Complainant's signature

Thomas R. Maloney, Task Force Officer, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/27/16

Judge's signature

City and state: Saint Paul, Minnesota

Hildy Bowbeer, United States Magistrate Judge

Printed name and title

SCANNED
JUL 27 2016
U.S. DISTRICT COURT ST. PAUL

16-MJ-500 HB

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF THOMAS R. MALONEY
COUNTY OF RAMSEY)

I, Thomas R. Maloney, being duly sworn, state the following:

1. I am a police officer with the Bloomington Police Department and have been a sworn police officer since April 2002. I have been assigned as a Task Force Officer with the Drug Enforcement Administration ("DEA") since May 2013. I have received over 200 hours of training pertaining to drug trafficking, money laundering, undercover operations and electronic and physical surveillance procedures. I have been involved in over 100 investigations dealing with the possession, manufacture, distribution, and importation of controlled substances.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant charging Daniel Paul Clevenger ("Clevenger") with possession with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

3. The facts and information contained in this affidavit are based upon my personal knowledge of the investigation and observations of other officers and agents involved in the investigation. All observations referenced below that were not personally made by me were related to me by the persons who made such observations. This affidavit contains information necessary to support probable cause for this complaint. It

is not intended to include each and every fact and matter observed by me or known to the government.

4. On July 26, 2016, in Minneapolis, Minnesota, the police stopped a car registered and driven by Clevenger after he committed several traffic violations. The police later searched the car and seized approximately 293 grams of suspected heroin concealed in two locations inside the interior of the car. The samples field-tested positive for the presence of heroin. Based upon my experience and training, I know that possession of this quantity of heroin is consistent with distribution and not with personal use.

5. Based on the foregoing, there is probable cause to believe that on or about July 26, 2016, in Hennepin County, Minnesota, in the State and District of Minnesota, Daniel Paul Clevenger possessed with the intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841 (b)(1)(B).

Thomas R. Maloney
Task Force Officer, DEA

SUBSCRIBED and SWORN to before
me this 27th day of July, 2016.

Hildy Bowbeer
United States Magistrate Judge